

Remarks/Arguments:

Claims 1-4 and 6-15 were pending.

Claim 1 has been amended to claim greater than about 12% organic acid. In re Ayers concludes that “at least about 8%” is anticipated by “at least about 10%”. However, for organic acids or their salts, Dahayanake in claim 15 as filed claimed from about 0.1 to about 10% and in claim 11 as filed claimed from about 0.1 to about 8%; the present application in original claims 7 and 8 claimed “between 0.1 and 10%” and “between 0.1 and 8%” respectively. Dahayanake considered “about 8” to be different from “about 10”; applicants clearly consider 8 to be different from 10. Furthermore, although Dahayanake taught “from about 0.1% to about 10%”, the highest acid concentration in any example was 2.0% phthalic acid in Example 5. Consequently, applicants assert that in this instance “about 12%” in claim 1 is not suggested by the “at least about 10%” of Dahayanake.

Claim 4 has been amended to include the limitation of claims 6 and 7, that the fluid contains methanol at a concentration between 0.1 and 10% by volume. Claims 6 and 7 have been canceled. Claim 8 has been amended to make it dependent upon claim 4, rather than upon canceled claim 7.

Claim 14 has been amended to add the word “about” to the numerical values that did not already have that word.

New claims 16 and 17 have been presented to further define additional acids suitable for use in the methods of claims 1 and 4. Support for these new claims is found in the specification in paragraph [0015]. These acids are not suggested by Dahayanake, which lists suitable acids in col. 6, lines 37-61, as “various aromatic sulfonates and carboxylates” and the only carboxylates listed are chlorobenzoic acid, salicylic acid, phthalic acid, and various substituted phthalic acids.

Claims 1, 4, 6, and 12 were rejected under 35 USC 103(a) as being unpatentable over 6,258,859 to Dahyanake *et al.* The concentration of organic acid in claim 1 has been changed; the alcohol in claim 4 has been limited to a specific concentration of methanol. Claim 6 has been canceled. Claim 12 is dependent on claim 4, which applicants now believe to be allowable.

Claim 9 was objected to as being dependent upon a rejected base claim 4, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants believe that claim 4 is now allowable.

Claims 1-3 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 7, 9, and 10 of copending U. S. Patent Application Serial No. 10/231,569 (now US 6,903,054 granted June 7, 2005). These applications were owned by Schlumberger Technology Corporation at the time the inventions were made and are still owned by Schlumberger Technology Corporation. A Terminal Disclaimer accompanies this paper.

Claims 1, 2, 4, 6, 9, 11-13, and 15 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-8, 10, 12-20, and 23-26 of copending U. S. Patent Application Serial No. 10/191,179. These applications were owned by Schlumberger Technology Corporation at the time the inventions were made and are still owned by Schlumberger Technology Corporation. A Terminal Disclaimer accompanies this paper.

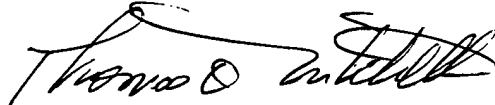
Claim 14 was found allowable.

In light of the above amendments and remarks, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Appl. No. 10/065,144
Amdt. Dated June 27, 2005
Response to Office Action Dated April 7, 2005

The Commissioner is authorized to charge any additional required fee, or credit any excess fee paid, to Deposit Account 04-1579 (56.0630).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Thomas O. Mitchell", written over a horizontal line.

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